

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

CONSUMER FINANCIAL PROTECTION
BUREAU,

Plaintiff,

v.

RICHARD F. MOSELEY, SR.; RICHARD F.
MOSELEY, JR.; CHRISTOPHER J.
RANDAZZO; SSM GROUP, LLC; CMG
GROUP, LLC; DJR GROUP, LLC; BCD
GROUP, LLC; HYDRA FINANCIAL
LIMITED FUND I; HYDRA FINANCIAL
LIMITED FUND II; HYDRA FINANCIAL
LIMITED FUND III; HYDRA FINANCIAL
LIMITED FUND IV; PCMO SERVICES, LLC;
PCKS SERVICES, LLC; PIGGYCASH
ONLINE HOLDINGS, LLC; CLS SERVICES,
INC.; FSR SERVICES, INC.; SJ PARTNERS,
LLC; RIVER ELK SERVICES, LLC; OSL
MARKETING, INC., a/k/a OSL GROUP, INC.;
ROCKY OAK SERVICES, LLC; RM
PARTNERS, LLC; PDC VENTURES, LLC;
and CORVUS COMPANY, LLC,

Defendants.

CASE NO. 14-00789-CV-W-DW

JUDGE: Hon. Dean Whipple
CTRM: 8-B

QUARTERLY REPORT OF RECEIVER UNDER L.R. 66.1(b)

QUARTERLY REPORT OF RECEIVER UNDER L.R. 66.1(b)

Thomas W. McNamara, as Court-appointed Receiver (“Receiver”), submits this report of receivership activities for the period March 25, 2017 through June 26, 2017.

The Receiver’s appointment was confirmed by the Preliminary Injunction entered October 3, 2014 which defines Receivership Defendants as the entities named as Corporate Defendants¹ and any successors, assigns, affiliates, or subsidiaries that the Receiver has reason to believe are owned or controlled by any Defendant and conduct any business related to the Corporate Defendants’ consumer loan operations.

The receivership’s financial condition remains essentially the same since the Quarterly Report filed March 28, 2017 (Doc. No. 163) with net cash funds in the receivership account at June 26, 2017 of \$10,310,982. A Receipts and Disbursements Summary for the period covered by this Quarterly Report (March 25, 2017 through June 26, 2017) is attached as Exhibit A. During this period, receipts totaled \$9,764.19, less disbursements of \$211,624.76 as detailed in Exhibit A. The primary components of the disbursements were \$156,668 in professional fees (as approved by the Court in Order entered June 7, 2017, Doc. No. 167) and \$44,977 expenses related to the Mexican condominium (50% of which will be reimbursed by the other 50% owner). We continue to work with the co-owner to sell the Mexican property, but current market conditions are decidedly unfavorable.

We continue to pursue the claims against the law firm that provided legal advice to the Receivership Entities. *See McNamara v. Katten*, (W.D. Mo.) Case No. 4:16-cv-01203-SRB.

¹ SSM Group, LLC; CMG Group, LLC; DJR Group, LLC; BCD Group, LLC; Hydra Financial Limited Funds I, II, III, and IV; PCMO Services, LLC; PCKS Services, LLC; Piggycash Online Holdings, LLC; CLS Services, Inc.; FSR Services, Inc.; SJ Partners, LLC; River Elk Services, LLC; OSL Marketing, Inc., a/k/a OSL Group, Inc.; Rocky Oak Services, LLC; RM Partners, LLC; PDC Ventures, LLC; and Corvus Company LLC.

After its motion to dismiss was denied in March, 2017, Defendant moved to certify the denial order for an interlocutory appeal, but that was denied on April 21, 2017. The parties have exchanged the required Initial Disclosures, and have commenced formal discovery.

Dated: June 30, 2017

THOMAS W. MCNAMARA

By:/s/ THOMAS W. MCNAMARA

THOMAS W. MCNAMARA

Email: tmcnamara@mnamarallp.com

655 West Broadway, Suite 1600
San Diego, California 92101
Telephone: 619-269-0400
Facsimile: 619-269-0401

Court-Appointed Receiver

ANDREW W. ROBERTSON (*pro hac vice*)

DANIEL M. BENJAMIN (*pro hac vice*)

McNamara Smith LLP

655 West Broadway, Suite 1600

San Diego, California 92101

Telephone: 619-269-0400

Facsimile: 619-269-0401

arobertson@mnamarallp.com

dbenjamin@mnamarallp.com

MATTHEW T. GEIGER (MO #50071)

Geiger Prell, LLC

10000 College Boulevard, Suite 100

Overland Park, KS 66210

Telephone: 913-661-2430

Facsimile: 913-362-6729

mgeiger@geigerprell.com

Attorneys for Court-Appointed Receiver

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of June, 2017, I electronically filed the foregoing document, with the Clerk of the Court for the Western District of Missouri by using the CM/ECF system which will send a notice of electronic filing to all parties participating in the Court's CM/ECF system.

Consumer Financial Protection Bureau

John Thompson
Laura Schneider
Michael Favretto
Emily H. Mintz
Office of Enforcement
1700 G Street, NW
Washington, DC 20552
Tel.: 202-435-7270
Fax: 202-435-7722
John.Thompson@cfpb.gov
laura.schneider@cfpb.gov
michael.favretto@cfpb.gov
emily.mintz@cfpb.gov

Thomas M. Larson
Assistant United States Attorney
Charles Evans Whittaker Courthouse
400 East Ninth Street, Room 5510
Kansas City, Missouri 64106
Tel.: 816-426-3130
Fax: 816-426-3165
tom.larson@usdoj.gov

Attorneys for the Receiver

Matthew T. Geiger
Benjamin R. Prell
Geiger Prell, LLC
10000 College Boulevard, Suite 100
Overland Park, Kansas 66210
913-661-2430 (telephone)
mgeiger@geigerprell.com
bprell@geigerprell.com

Attorneys for Individual Defendants

John C. Aisenbrey
Sean W. Colligan
Matthew J. Salzman
Stinson Leonard Street LLP
1201 Walnut Street, Suite 2900
Kansas City, MO 64106
Tel.: 816-842-8600
Fax: 816-691-3495
john.aisenbrev@stinsonleonard.com
sean.colligan@stinsonleonard.com
matt.salzman@stinsonleonard.com

Attorneys for SSM Group, LLC; CMG Group, LLC; DJR Group, LLC; BCD Group, LLC; Hydra Financial Limited Funds I-IV; PCMO Services, LLC; PCKS Services, LLC; Piggycash Online Holdings, LLC; CLS Services, Inc.; FSR Services, Inc.; SJ Partners, LLC; River Elk Services, LLC; OSL Marketing, Inc.; Rocky Oak Services, LLC; RM Partners, LLC; PDC Ventures, LLC; Corvus Company, LLC
Deron A. Anliker
John M. Duggan
David L. Ballew
Duggan, Shadwick, Doerr & Kurlbaum
11040 Oakmont
Overland Park, KS 66210
Tel.: 913-498-3536
Fax: 913-498-3538
danliker@kc-dsdlaw.com
jduggan@kc-dsdlaw.com
dballew@kc-dsdlaw.com

/s/ Andrew W. Robertson

ANDREW W. ROBERTSON